

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
LAFAYETTE DIVISION

JULES LEE JR

CIVIL ACTION NO. 6:21-CV-04389

VERSUS

JUDGE DAVID C. JOSEPH

**SOCIAL SECURITY
ADMINISTRATION**

MAGISTRATE JUDGE DAVID J. AYO

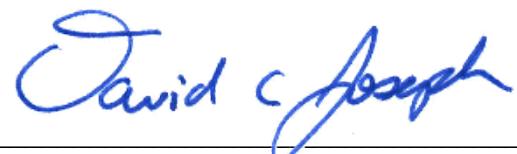
JUDGMENT

This matter was referred to United States Magistrate Judge David J. Ayo for Report and Recommendation. After an independent review of the record, noting the absence of objections thereto, this Court concludes that the Magistrate Judge's REPORT AND RECOMMENDATION [Doc. 16] is correct and adopts the findings and conclusions therein as its own. Accordingly,

IT IS HEREBY ORDERED that the Commissioner's decision is REVERSED and REMANDED to the Commissioner for further consideration in light of the new evidence not previously considered. Inasmuch as the reversal and remand recommended herein falls under sentence four of Section 405(g), any judgment entered in connection herewith will be a "final judgment" for purposes of the Equal Access to Justice Act ("EAJA"). *Richard v. Sullivan*, 955 F.2d 354 (5th Cir. 1992), and *Shalala v. Schaefer*, 509 U.S. 292 (1993).¹

¹ A fourth sentence remand constitutes a final judgment that triggers the filing period for an EAJA fee application. *Shalala v. Schaeffer*, 509 U.S. 292 (1993); *Freeman v. Shalala*, 2 F.3d 552, 553 (5th Cir. 1993).

THUS, DONE AND SIGNED in Chambers this 13th day of April 2023.



DAVID C. JOSEPH
UNITED STATES DISTRICT COURT